

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

KENNETH DANIELS,

Petitioner,

Civil No. 2:11-CV-14218
Honorable Denise Page Hood

v.

CARMEN D. PALMER,

Respondent.

**ORDER GRANTING PETITIONER'S MOTIONS TO EXTEND TIME [DKT. 12],
DENYING HIS MOTION FOR EVIDENTIARY HEARING, TO QUASH INDICTMENT,
AND TO STRIKE TESTIMONY [DKT. 13]**

Petitioner filed this habeas petition challenging the legality of his state conviction on September 26, 2011. Respondent filed a response on March 2, 2012. Before the Court are Petitioner's motion to extend time to file a responsive pleading, [Dkt. 12], and his motion for an evidentiary hearing, to quash the indictment, and to strike trial testimony. [Dkt. 13].

FED. R. CIV. P. 6(b)(1)(A) authorizes the court to extend any time period specified in its orders for good cause. For the reasons stated in the motion, the Court will grant Petitioner's request to file a reply brief, and he will be given sixty (60) days from the date of this order to file it.

Petitioner's other motion raises issues that are properly considered with the petition itself. The Court will consider whether an evidentiary hearing is necessary as well as these other matters when it addresses the merits of the petition.

IT IS HEREBY ORDERED that Petitioner's motion for extension of time is **GRANTED**.
Petitioner had sixty (60) days from the date of this order to file his reply brief.

IT IS FURTHER ORDERED that Petitioner's motion for an evidentiary hearing, to quash

the indictment, and to strike trial testimony is **DENIED WITHOUT PREJUDICE.**

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: May 15, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 15, 2012, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry
Case Manager